

Connie Diaz

From: Elizabeth Fishel
Sent: Friday, September 11, 2020 4:17 PM
To: Blaise Scinto; Paul Malmud; Victory, Nancy J.; Ham, Kathleen; jeffrey.blum@dish.com; Jennifer Tomchin; Stephen Buenzow (CTR); Peter Daronco; John Schauble; Sommer Gilbert; Susan Mickley; Donald Stockdale; Dana Shaffer; Charles Mathias; Cecilia Sulhoff; Connie Diaz; Becky Tangren
Subject: FW: STA Request
Attachments: STA Request.pdf; DA 20-463 Public Notice.pdf; Filing PN Attachment DA 20-463.pdf

Good afternoon,

Shown below is T-Mobile License LLC's granted emergency Special Temporary Authorization (STA) that authorizes it to operate on 600 MHz spectrum.

Please contact me if you have any questions.

Elizabeth (Beth) Fishel

T-Mobile License LLC's request for an emergency STA to operate on the spectrum; and within the market areas of the WT (600 MHz) radio service stations identified on the attached document (STA Request) has been granted via this email for a period of 60 days. T-Mobile License LLC must cease its operations on this spectrum if DISH Network Corporation withdraws its approval for T-Mobile License LLC's use of this 600 MHz spectrum at any time. T-Mobile License LLC will be using this spectrum to provide relief during the state-of-emergency caused by the spread of the coronavirus throughout the United States.

This STA is authorized on a secondary non-interference basis. T-Mobile License LLC must cease operating on these frequencies if it causes harmful interference to any primary users. Any structure utilized to operate pursuant to this STA must comply with the height limitations specified in Section 17.7 of the Commission's rules or must be registered with the FAA.

T-Mobile License LLC must file an STA application for Special Temporary Authorization to continue its operations within 10 days of today's date (September 11, 2020). The STA application must be filed in the Commission's Electronic Comment Filing System (ECFS) as a Non-Docketed Filing in the FCC Inbox for 1.931 Market-based STAs, pursuant to the process described in the attachment to DA 20-463, a copy of which is attached to this email. In addition, a courtesy copy of the STA applications should be emailed to the FCC staff members copied on this email. If you have any questions about the filing process, please contact Paul Malmud of the Broadband Division at Paul.Malmud@fcc.gov.

From: Victory, Nancy J. <nancy.victory@dlapiper.com>
Sent: Thursday, September 10, 2020 2:10 PM
To: Donald Stockdale <Donald.Stockdale@fcc.gov>; Charles Mathias <Charles.Mathias@fcc.gov>; Blaise Scinto <Blaise.Scinto@fcc.gov>
Cc: Ham, Kathleen <Kathleen.Ham@t-mobile.com>; Blum, Jeffrey <Jeffrey.Blum@dish.com>
Subject: STA Request

All,

Attached please find a request for special temporary authority by T-Mobile to utilize certain 600 MHz licenses held by DISH for a period of 60 days. A paper copy is being sent by overnight courier to the FCC's Annapolis Junction address. Please let us know if you have any questions.

Nancy

Nancy J. Victory

Partner

T +1 202 799 4216

F +1 202 799 5616

M +1 703 946 4305

nancy.victory@us.dlapiper.com

DLA Piper LLP (US)

500 Eighth Street, NW

Washington, DC 20004



dlapiper.com

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September 10, 2020

VIA E-MAIL

Donald Stockdale
Chief, Wireless Telecommunications Bureau
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

Re: Request for Special Temporary Authority

Dear Mr. Stockdale:

T-Mobile License LLC (“T-Mobile”) pursuant to Section 1.931 of the Commission’s rules¹ and as directed by the Department of Justice (“DOJ”) in its approval of the merger between T-Mobile US, Inc. and Sprint Corporation,² hereby requests special temporary authority (“STA”) to use a 10 MHz block in each of the entire geographic areas of the 600 MHz licenses specified in Exhibit A attached hereto. T-Mobile will use this spectrum to provide improved and expanded wireless service to consumers as well as facilitate the rapid deployment of its 5G network for a period of sixty (60) days from Commission action.

STA is in the Public Interest

As part of its approval of the merger between T-Mobile US, Inc. and Sprint Corporation, the Department of Justice (“DOJ”) issued a Final Judgment that, among other things, directed T-Mobile US and DISH Network Corporation (“DISH”) “to negotiate in good faith to reach an agreement for [T-Mobile] to lease some or all of [DISH]’s 600 MHz Spectrum Licenses for deployment to retail consumers by [T-Mobile].”³ T-Mobile and DISH did not reach an agreement on such a lease within 180 days of entry of the Final Judgment. Under the Final Judgment, the United States may “resolve any dispute at the United States’ sole discretion,” provided that “such resolution shall be based on commercially reasonable and mutually beneficial terms for both parties, recognizing that the lease(s) must be for a sufficient period of time for [T-Mobile] to make adequate commercial use of the 600 MHz Spectrum Licenses.”⁴ On August 25, 2020, the Antitrust Division of the DOJ determined the major terms of the Lease

¹ See 47 C.F.R. § 1.931(a)(2)(ii).

² *United States v. Deutsche Telekom, et al.*, No. 1:19-cv-2232 (D.D.C., Apr. 1, 2020 (“Final Judgment”).

³ *Id.* at V.A.

⁴ *Id.*





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Agreement between T-Mobile and DISH that is the subject of this STA Request. The Antitrust Division upheld this determination on September 3, 2020 and directed the Parties to submit to the Commission the required long-term spectrum lease filing as well as this request for Special Temporary Authority (STA).⁵ Attached as Exhibit B is a letter from DISH consenting to and supporting the STA.

The requested STA will allow the spectrum leasing arrangement to begin right away. The proposed leasing arrangement will deliver important public interest benefits well-recognized by the Commission. First and foremost, the lease will enable T-Mobile to promptly put to use certain spectrum licenses, as DISH gets ready to deploy it by building its nationwide 5G network.⁶ The Lease will enable these frequencies immediately to be put to use to provide improved and expanded wireless service to American consumers as well as to facilitate the rapid deployment of T-Mobile's own 5G network.

Here, T-Mobile's deployment of the spectrum will also have immediate and significant benefits for consumers and competition. The Leased Spectrum will help enable T-Mobile to meet increased demand for high speed wireless services. As the Commission is aware, consumer demand for mobile broadband is growing at an unprecedented rate, and Lessee's use of the Leased Spectrum will augment its ability to satisfy this growing demand in the Markets covered by the Leased Spectrum.⁷ For example, Cisco reports that global mobile data traffic grew 71 percent in 2017,⁸ and Cisco projects that U.S. mobile data traffic will grow 7-fold from 2017 to 2022.⁹

⁵ An application for a long term *de facto* transfer lease is being submitted concurrently.

⁶ The terms of the lease also provide for the Lessor to be able to recover the spectrum on a market-by-market basis when ready to deploy it.

⁷ See, e.g., *Implementation of Section 6002(b) of the Omnibus Budget Reconciliation Act of 1993; Annual Report and Analysis of Competitive Market Conditions with Respect to Mobile Wireless, Including Commercial Mobile Services*, Twentieth Report, 32 FCC Rcd. 8968 ¶ 35 (2017) ("increasing consumer demand for mobile data is expected to continue increasing service providers' need for spectrum."); *Implementation of Section 6002(b) of the Omnibus Budget Reconciliation Act of 1993; Annual Report and Analysis of Competitive Market Conditions with Respect to Mobile Wireless, Including Commercial Mobile Services*, Seventeenth Report, 29 FCC Rcd. 15311, 15356 ¶ 91 (2014) ("Rising consumer demand for mobile broadband is increasing service providers' need for spectrum at an unprecedented rate.")

⁸ Cisco Systems, Inc., *VNI Mobile Forecast Highlights, Global—2017 Year in Review*, http://www.cisco.com/assets/sol/sp/vni/forecast_highlights_mobile/index.html#~Country, (last visited Sept. 7, 2020).

⁹ Cisco Systems, Inc., *VNI Mobile Forecast Highlights, Global—2016-2021*, http://www.cisco.com/assets/sol/sp/vni/forecast_highlights_mobile/index.html#~Country (last visited Sep. 7, 2020).





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The Leased Spectrum will be put to use at an especially important time for American consumers. T-Mobile has experienced significantly increased demand for capacity since the onset of the COVID-19 pandemic and it expects such demand to continue, if not increase, for the foreseeable future. T-Mobile will use the additional low-band spectrum to meet this growing demand. This demand is more pervasive and widespread than before the pandemic as a result of increased and changed use patterns due to people sheltering at and working and schooling from home. The additional spectrum also will enable added capacity and improved data throughput speeds, helping improve network reliability and coverage in the Markets. Consumers in urban areas will benefit because the low band spectrum will allow T-Mobile to improve significantly its customers' in-building coverage. Consumers in suburban and rural areas will benefit from the increased reach of low band spectrum, which will allow T-Mobile to enhance its network performance and coverage cost-effectively.

T-Mobile has a history of rapid deployment of 600 MHz spectrum to the benefit of American consumers—exhibited most recently during the COVID-19 pandemic. As noted by OpenSignal, “[l]ess than 24 hours [after Chairman Pai launched the Keep Americans Connected Pledge], T-Mobile announced it was partnering with companies including Dish, Bluewater Wireless, LB Holdings and others to light up an additional 600 MHz spectrum and expand network capacity to respond to the impact of COVID-19 on daily life.”¹⁰ OpenSignal analyzed use of the 600 MHz spectrum by T-Mobile in the top 100 U.S. Cellular Market Areas during four weeks in March, including spectrum leased to T-Mobile by DISH at no charge due to the exigencies of the pandemic, and “found that T-Mobile took less than three days to start deploying the additional spectrum it received from [DISH] and other companies.”¹¹ OpenSignal also published the following chart depicting measured download speeds from its report:

¹⁰ Francesco Rizzato, OpenSignal, T-Mobile boosts mobile speeds thanks to spectrum support from FCC, Dish, others (Apr. 8, 2020), available at <https://www.opensignal.com/2020/04/08/t-mobile-boosts-mobile-speeds-thanks-to-spectrum-support-from-fcc-dish-others>.

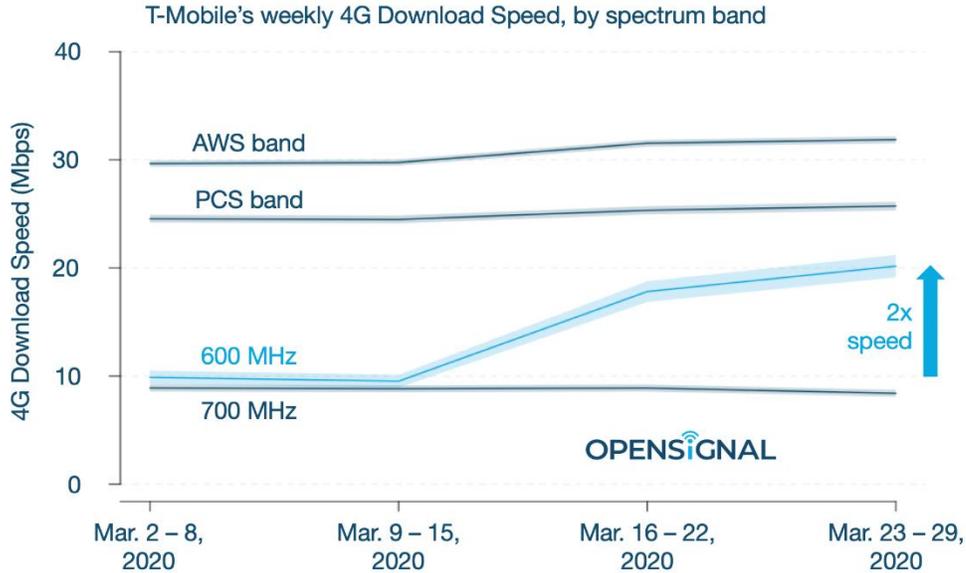
¹¹ *Id.*





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4G Download Speed on T-Mobile's 600 MHz band has doubled since the operator deployed additional spectrum it borrowed from Dish and others



The shaded areas represent a 90% confidence interval for the weekly 4G Download Speed our users experienced when they connected to T-Mobile's different spectrum bands

The Leased Spectrum’s additional bandwidth will also facilitate the post-merger transition of customers to the T-Mobile network and accelerate T-Mobile’s rearming of spectrum for 5G services. The Commission has repeatedly emphasized that “[b]uilding leading 5G networks is of critical importance for our nation.”¹² By facilitating the deployment and expansion of T-Mobile’s 5G services, the lease advances this key objective of the Commission. In addition, by facilitating the post-merger network transition, the lease will accelerate the network deployment synergies that the Commission found “will yield significant public interest benefits.”¹³

Just as important, the proposed lease will affirmatively serve the public interest by helping DISH become a stronger competitor in the mobile voice and broadband market. The compensation payable to DISH under the Lease Agreement will contribute to funding construction of DISH’s 5G network and thus facilitate DISH’s entry into the market as a 5G facilities-based carrier.

¹² See, e.g., *Merger Approval Order* ¶ 3.

¹³ *Id.* ¶ 6.





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In doing so, the proposed lease will also further the pro-competitive goals of the DOJ's Final Judgment. The DOJ—acting in furtherance of competition—expressly directed the Parties to enter into the leasing arrangement and reviewed and weighed in on its terms. The lease is an important element of the remedy DOJ described as designed "to facilitate DISH building and operating its own mobile wireless services network . . . to enable it to compete in the marketplace."¹⁴ Further, DOJ emphasized that the lease "is expected to expand output by making the 600 MHz spectrum available for use by consumers even before DISH has completed building out its network, and would assist T-Mobile in transitioning consumers to its 5G network."¹⁵ As such, the proposed lease will promote competition and deliver the other important public interest benefits described above.

Requested Rule Waivers

T-Mobile recognizes that the Commission's rules generally require that STA requests be submitted electronically on FCC Form 601.¹⁶ Accordingly, it hereby requests a waiver of that rule. A waiver is justified because, as the Commission acknowledges, the Universal Licensing System is not optimized to allow applicants to seek permission to use 600 MHz spectrum for which an applicant is not authorized, on a temporary basis.¹⁷ Seeking STA through this letter will permit T-Mobile to deploy spectrum that is currently fallow while the Commission reviews the related application for a long-term *de facto* transfer lease concerning the spectrum that is the subject of this request.

¹⁴ Competitive Impact Statement at 2, *United States v. Deutsche Telekom, et al.*, No. 19-cv-2232 (D.D.C., July 30, 2020). *See also* Final Judgment at 2 ("the purpose of this Final Judgment is to preserve competition by enabling the entry of another national facilities-based mobile wireless network operator").

¹⁵ *See* Response of Plaintiff United States to Public Comments on the Proposed Final Judgment, *United States v. Deutsche Telekom AG, et al.*, Case No. 1:19-cv-02232-TJK, U.S. District Court of the District of Columbia, p. 14, (D.D.C., Nov. 6, 2019), available at: <https://www.justice.gov/atr/case-document/file/1215706/download>.

¹⁶ *See* 47 C.F.R. § 1.931.

¹⁷ *See* FCC, WTB Special Temporary Authority and Waiver Request Filing Guide (last visited Sept. 9, 2020), <https://www.fcc.gov/research-reports/guides/wtb-special-temporary-authority-and-waiver-request-filing-guide>.





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T-Mobile looks forward to your prompt response. Please direct any questions regarding the foregoing to the undersigned or to Nancy J. Victory, T-Mobile's outside counsel.

Respectfully submitted,

T-MOBILE US, Inc.

By: /s/ Kathleen O'Brien Ham
Senior Vice President, Government Affairs

cc: Charles Mathias
Blaise Scinto
Jeffrey Blum, DISH Network Corporation



EXHIBIT A

<u>PEA</u>	<u>Market Name</u>	<u>Leased Block</u>	<u>Call Sign</u>
1	New York, NY	D	WQZM398
9	Miami, FL	E	WQZM244
12	Detroit, MI	F	WQZM542
13	Orlando, FL	F	WQZM468
14	Cleveland, OH	F	WQZM618
18	San Diego, CA	F	WQZM417
19	Portland, OR	F	WQZM466
22	Sacramento, CA	D	WQZM393
28	San Antonio, TX	F	WQZM626
29	Jacksonville, FL	F	WQZM255
31	Indianapolis, IN	D	WQZM391
35	Austin, TX	F	WQZM617
38	Milwaukee, WI	G	WQZM253
42	Honolulu, HI	F	WQZM409
172	Duluth, MN	F	WQZM662
176	Ames, IA	A	WQZM337
179	Burlington, IA	A	WQZM341
182	Cedar Rapids, IA	A	WQZM343
183	Columbia, MO	A	WQZM601
185	Marquette, MI	F	WQZM241
186	Rock Hill, SC	A	WQZM489
187	Pocatello, ID	A	WQZM369
189	Alexandria, LA	A	WQZM707
190	Bozeman, MT	A	WQZM660
192	Fayetteville, NC	A	WQZM699
193	Saint Joseph, MO	F	WQZM491
194	State College, PA	G	WQZM350
195	Lewiston, ID	A	WQZM236
196	Cape Girardeau, MO	A	WQZM527
197	Wheeling, WV	G	WQZM348
198	Jonesboro, AR	A	WQZM595
200	Danville, VA	A	WQZM651
202	Columbus, GA	A	WQZM701
203	Traverse City, MI	F	WQZM385
204	Owensboro, KY	F	WQZM470
205	Douglas City, CA	A	WQZM655
211	Ardmore, OK	E	WQZM415
213	Bend, OR	A	WQZM656
215	Hickory, NC	F	WQZM238

<u>PEA</u>	<u>Market Name</u>	<u>Leased Block</u>	<u>Call Sign</u>
216	Joplin, MO	A	WQZM596
217	Lubbock, TX	A	WQZM706
218	Wausau, WI	A	WQZM332
219	Mason City, IA	A	WQZM345
220	Odessa, TX	A	WQZM710
221	Laredo, TX	A	WQZM557
222	Morristown, TN	A	WQZM603
223	Dubuque, IA	A	WQZM340
224	De Kalb, IL	A	WQZM488
225	La Crosse, WI	A	WQZM339
226	Lima, OH	A	WQZM259
229	Saint George, UT	A	WQZM704
230	Lumberton, NC	A	WQZM286
231	Fremont, NE	A	WQZM638
233	Shelby, NC	A	WQZM314
235	Amarillo, TX	A	WQZM709
237	Hinesville, GA	F	WQZM237
238	Florence, SC	A	WQZM588
239	Kannapolis, NC	F	WQZM581
240	Charlottesville, VA	A	WQZM652
241	Dublin, GA	A	WQZM358
242	Lake Charles, LA	A	WQZM708
243	Paducah, KY	F	WQZM568
244	Manhattan, KS	A	WQZM604
245	West Plains, MO	A	WQZM599
247	Nampa, ID	G	WQZM267
248	Sumter, SC	A	WQZM439
249	Bryan, TX	F	WQZM702
250	Las Cruces, NM	F	WQZM492
251	Salina, KS	A	WQZM295
252	Sioux City, IA	A	WQZM335
253	Baraboo, WI	A	WQZM329
254	Merrill, WI	F	WQZM240
256	Lynchburg, VA	F	WQZM378
258	Cullman, AL	F	WQZM459
259	Roswell, NM	A	WQZM414
260	Alpena, MI	F	WQZM384
261	Fargo, ND	A	WQZM258
262	Hilton Head Island, SC	G	WQZM405
263	Santa Fe, NM	F	WQZM277
265	Winona, MN	A	WQZM327

<u>PEA</u>	<u>Market Name</u>	<u>Leased Block</u>	<u>Call Sign</u>
266	Lenoir, NC	E	WQZM416
267	Sheboygan, WI	A	WQZM334
268	Clinton, IA	A	WQZM331
269	Racine, WI	A	WQZM330
270	Ottawa, IL	A	WQZM352
272	Brownwood, TX	A	WQZM556
273	Bloomington, IL	G	WQZM532
274	Twin Falls, ID	A	WQZM368
275	Corsicana, TX	A	WQZM555
277	Hutchinson, KS	A	WQZM296
278	Bartlesville, OK	A	WQZM643
279	Logan, UT	A	WQZM370
280	Garden City, KS	A	WQZM431
281	Muskogee, OK	A	WQZM641
282	Galesburg, IL	E	WQZM593
284	Greenwood, SC	A	WQZM280
285	Gallup, NM	E	WQZM249
287	Kenosha, WI	A	WQZM487
291	Rockingham, NC	A	WQZM287
294	Waterloo, IA	A	WQZM333
295	Stillwater, OK	A	WQZM636
296	Pottsville, PA	A	WQZM499
299	Kirksville, MO	A	WQZM600
300	Selma, AL	A	WQZM671
302	Enid, OK	A	WQZM294
303	Great Falls, MT	A	WQZM505
304	Mount Airy, NC	E	WQZM474
305	Altus, OK	A	WQZM293
306	Wichita Falls, TX	A	WQZM637
308	Americus, GA	G	WQZM404
309	Elizabeth City, NC	A	WQZM288
310	Farmington, MO	A	WQZM526
311	Trinidad, CO	A	WQZM672
312	Farmington, NM	F	WQZM609
313	Lockhart, TX	A	WQZM554
314	Jacksonville, TX	A	WQZM553
317	Beatrice, NE	E	WQZM713
318	Thief River Falls, MN	F	WQZM367
319	Albany, GA	F	WQZM284
320	San Angelo, TX	A	WQZM266
321	Batesville, IN	F	WQZM496

<u>PEA</u>	<u>Market Name</u>	<u>Leased Block</u>	<u>Call Sign</u>
322	Minot, ND	A	WQZM366
323	Socorro, NM	F	WQZM276
324	Honesdale, PA	A	WQZM356
325	Bismarck, ND	F	WQZM633
326	Fergus Falls, MN	F	WQZM484
327	Orangeburg, SC	A	WQZM279
328	Winslow, AZ	E	WQZM685
329	Kingsville, TX	F	WQZM533
330	Olney, IL	F	WQZM587
331	Plainview, TX	F	WQZM433
332	Bennettsville, SC	A	WQZM281
333	Sidney, OH	F	WQZM495
334	Pampa, TX	F	WQZM299
335	Natchitoches, LA	F	WQZM247
336	Grand Forks, ND	F	WQZM260
337	Mineral Wells, TX	A	WQZM552
338	Durango, CO	A	WQZM386
340	Clovis, NM	A	WQZM413
341	Alamogordo, NM	F	WQZM680
343	Pecos, TX	F	WQZM257
344	Clanton, AL	A	WQZM670
345	Newberry, SC	A	WQZM278
346	Franklin, NC	A	WQZM313
347	New Roads, LA	A	WQZM523
349	Marion, NC	E	WQZM654
350	Forrest City, AR	A	WQZM524
351	Dickinson, ND	F	WQZM480
352	Gonzales, TX	A	WQZM550
353	Watseka, IL	F	WQZM514
354	New London, WI	A	WQZM328
356	Colville, WA	A	WQZM703
357	Espanola, NM	A	WQZM402
358	Marble Falls, TX	A	WQZM551
361	Richfield, UT	F	WQZM504
362	Payette, ID	A	WQZM234
363	Big Spring, TX	A	WQZM263
364	Butte, MT	A	WQZM657
365	Vernon, TX	A	WQZM639
366	Pullman, WA	F	WQZM513
367	Moberly, MO	E	WQZM545
368	Concordia, KS	E	WQZM498

<u>PEA</u>	<u>Market Name</u>	<u>Leased Block</u>	<u>Call Sign</u>
369	Red Oak, IA	A	WQZM661
370	Washington, IA	A	WQZM326
371	Wytheville, VA	A	WQZM285
372	Colby, KS	A	WQZM673
373	Walla Walla, WA	A	WQZM658
375	Deming, NM	A	WQZM549
376	Hereford, TX	A	WQZM311
377	Demopolis, AL	A	WQZM669
378	Waynesboro, GA	F	WQZM380
379	Sault Ste. Marie, MI	C	WQZM451
380	Escanaba, MI	C	WQZM452
381	Del Rio, TX	F	WQZM691
383	Creston, IA	A	WQZM435
384	Manchester, IA	E	WQZM408
385	Hannibal, MO	E	WQZM534
386	Barnwell, SC	F	WQZM254
387	Wahpeton, ND	F	WQZM351
388	Atlantic, IA	A	WQZM634
390	Snyder, TX	A	WQZM261
391	Ontario, OR	E	WQZM450
392	Maryville, MO	F	WQZM250
393	Macon, MO	E	WQZM544
395	Jamestown, ND	A	WQZM453
396	Winterset, IA	A	WQZM325
397	Aliceville, AL	F	WQZM579
399	Lampasas, TX	A	WQZM548
400	Muleshoe, TX	A	WQZM309
401	Floydada, TX	A	WQZM310
402	Brady, TX	A	WQZM264
403	Lewistown, MT	A	WQZM298
404	Kanab, UT	E	WQZM248
406	Anamosa, IA	E	WQZM365
407	Salmon, ID	F	WQZM355
408	Ballinger, TX	A	WQZM262
409	Haskell, TX	A	WQZM308
410	Valentine, NE	A	WQZM239
411	Van Horn, TX	F	WQZM300
416	Gulf of Mexico	D	WQZM323

EXHIBIT B



Jeffrey H. Blum
Executive Vice President,
External & Legislative
Affairs
Jeffrey.Blum@dish.com
(720) 250-6973

September 10, 2020

Donald Stockdale
Chief, Wireless Telecommunications Bureau
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

Re: Request for Special Temporary Authority

Dear Mr. Stockdale:

DISH Network Corporation, on behalf of its subsidiary ParkerB.com Wireless L.L.C., consents to and supports T-Mobile's request for special temporary authority.

/s/ Jeffrey H. Blum

Jeffrey H. Blum



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <https://www.fcc.gov>
TTY: 1-888-835-5322

DA 20-463
Released: April 29, 2020

ELECTRONIC FILING NOW AVAILABLE FOR ALL LICENSE APPLICATIONS IN THE WIRELESS RADIO SERVICES

Mandatory Electronic Filing Will Be Enforced as of July 28, 2020

By this Public Notice, the Wireless Telecommunications Bureau (WTB) announces 100% electronic filing capability for license applications in the Wireless Radio Services. The Bureau's Universal Licensing System (ULS) currently provides licensees and applicants electronic filing capability for the vast majority of applications in the Wireless Radio Services. There are a few limited categories of submissions that ULS has not been able to accept electronically, and until today, these had to be filed manually. These categories are: (1) Special Temporary Authority (STA) applications in certain market-based services, (2) sublease applications, and (3) multi-step transactions.

In an effort to provide a complete electronic filing solution to licensees and applicants, particularly considering the current pandemic due to COVID-19, WTB announces an ECFS non-docketed filing solution exclusively for the limited categories of applications referenced above. Instructions for how to complete non-docketed ECFS filings for this limited class of filings are attached to this Public Notice.¹

Applicants may begin using ECFS to file their applications electronically effective **April 29, 2020**. A courtesy copy of any application(s) with an urgent filing deadline may be sent to ULScc@fcc.gov. The ECFS solution will become mandatory for filers on **July 28, 2020**, and any manually filed applications delivered after 4 p.m. on **July 27, 2020** will be dismissed without prejudice. This creates a 90-day transition period, which we believe provides sufficient time to allow users to adjust to this new requirement and to familiarize themselves with the ECFS filing system.

Mandatory Electronic Filing. Section 1.913(b) requires electronic filing of all applications in the Wireless Radio Services (with limited exceptions).² Because ULS was previously unable to accept some limited categories of filings electronically, WTB routinely waived the electronic filing requirement for market-based STAs, sub-leases, and multi-step transactions. Now that electronic filing is available for these remaining categories, WTB will begin strictly enforcing the electronic filing requirement for them as of July 28, 2020. We waive the signature requirement of section 1.917(d) to the extent necessary to allow filing as described herein.³

For questions regarding this Public Notice, please contact Keith Harper, Mobility Division, Wireless Telecommunications Bureau, at (202) 418-2759; Keith.Harper@fcc.gov, or Paul Malmud, Broadband Division, Wireless Telecommunications Bureau, at (202) 418-0006; Paul.Malmud@fcc.gov.

¹ In addition, WTB observes that non-licensees often seek waivers of rules in the Wireless Radio Services, and we provide a tailored ECFS filing capability for those requests as well to eliminate the need for paper filings.

² Similarly, section 1.931 requires electronic filing of special temporary authority applications. 47 C.F.R. §§ 1.913, 1.931.

³ 47 C.F.R. § 1.917(d).

- FCC -

Attachment
Wireless Telecommunications Bureau ECFS Non-docketed Filing Solution

- **Do not use the ECFS non-docketed filing portal to submit any applications that can be electronically filed in the Universal Licensing System (ULS) or anything for which another existing electronic-filing system is available.**

- **Filers should use the ECFS non-docketed filing portal for submitting the specific types of documents listed in the following categories of FCC Inboxes:**
 - a. INBOX – 1.913 Universal Licensing System Adjunct
 - i. Sublease applications;
 - ii. Multi-step transactions, such as simultaneous assignment applications or lease back applications where ULS filing cannot be accomplished; or
 - iii. Any other application where electronic filing via ULS is unavailable
 - b. INBOX – 1.931 Market-based STAs
 - i. Requests for Special Temporary Authority (STA) in market-based services, typically awarded by auction.
 - c. INBOX – 1.925 Waivers in Wireless Services filed by non-licensees
 - i. Any requests by non-licensees seeking waivers of rules in the wireless radio services (e.g. equipment certification waivers).

- **Do not use the ECFS non-docketed filing portal to submit any confidential documents, as all documents uploaded via ECFS are available to the public. If an application requires the submission of confidential information, please coordinate with FCC staff to submit the specific confidential components via email.**

Filing instructions:

1. Filers should access the ECFS filing portal at <https://www.fcc.gov/ecfs/filings>.
2. Click on the blue header labeled “Non-Docketed Filing.”
3. From the field labeled “FCC Inbox,” use the drop-down menu to select the appropriate inbox for the intended filing. The following three WTB inboxes have been established for applicable filings:
 - a. INBOX – 1.913 Universal Licensing System Adjunct
 - b. INBOX – 1.931 Market-based STAs
 - c. INBOX – 1.925 Waivers in Wireless Services filed by non-licensees
4. Complete the necessary fields regarding filer information
5. In the “Upload Documents” field, click to upload the appropriate document or drag and drop the document in the perforated box.
 - a. Filers must include an electronic copy of their completed application signed pursuant to section 1.52 of the Commission’s rules, as well as any associated attachments.
 - b. Application filings must continue to utilize standard FCC forms for the intended application type, as found on the FCC forms page:
<https://www.fcc.gov/licensing-databases/forms>.
 - c. The ECFS system permits a maximum of five uploadable files per filing;

- d. Filing types accepted are PDF, text, ppt, pptx, docx, xlxs, doc, xls, rtf, and dwg.
6. Select “continue to review screen” at bottom of screen
 - a. Review summary of information completed for accuracy.
 - b. If any corrections are required, filers can navigate back to the previous screen with the filer information using their browser’s back button.
7. Once filers have confirmed that the information they entered is correct, click the “submit” button on the bottom of the screen.
 - a. Filer will receive a confirmation number upon submission
 - b. Please save the number for tracking purposes.
8. If your application requires a fee, FCC staff will bill filers for the applicable fee once the application has been assigned a file number or otherwise keyed into ULS.
 - a. Filers will receive a letter notifying them of the payment due
 - i. During this temporary mandated telework period due to COVID-19, OMD is temporarily emailing applicants their bill
 - b. All fees must be paid electronically; Filers will utilize the Fee Filer portal to make the associated payment electronically: <https://apps.fcc.gov/FeeFiler/login.cfm>
 - c. Filers will have 30 days to remit payment electronically from the issuance of the notice from FCC staff.
9. Please direct any questions about filed applications to WTB Staff:
 - a. Mobility Division: Keith Harper (202) 418-2759; Keith.Harper@fcc.gov
 - b. Broadband Division: Paul Malmud (202) 418-0006; Paul.Malmud@fcc.gov.
10. Technical Assistance:
 - a. For technical assistance with ECFS, please contact the ECFS Help Desk at 202-418-0193 or ECFSHelp@fcc.gov.
 - b. For technical assistance with FCC Pay fees, please contact the ULS Help Line: (877)480-3201 and select option 2 (Mon.-Fri. 8 a.m.-6 p.m. ET).